

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

In re: : Case No. 19-52861  
:   
Jose R. Villavicencio, : Chapter 7  
:   
Debtor. : Judge Hoffman

**APPLICATION OF CHAPTER 7 TRUSTEE FOR AUTHORITY TO PAY  
REAL ESTATE COMMISSION RELATED TO THE SALE OF REAL ESTATE  
LOCATED AT 5465 HANSEL AVE, UNIT H-11, ORLANDO, FLORIDA AND  
5449 HANSEL AVENUE, UNIT M-17, ORLANDO, FLORIDA**

Now comes Myron N. Terlecky, the Chapter 7 Trustee (the “Trustee”) for the bankruptcy estate of Jose R. Villavicencio (the “Debtor”), by and through the undersigned counsel, and hereby applies to this Court for authority, pursuant to 11 U.S.C. § 330, to pay real estate sales commission and reimburse expenses to Christine Bowen of RE/MAX Town & Country Realty (the “Listing Realtor”) and Chris Creegan of Creegan Property Group (the “Cooperating Realtor”) for services performed as realtor for the Chapter 7 Trustee related to the sale of real estate located at 5465 Hansel Avenue, Unit H-11, Camelot by The Lake, Orlando, Florida (the “5465 Hansel Real Estate”), and 5449 Hansel Avenue, Unit M-17, Camelot by The Lake, Orlando, Florida (the “5449 Hansel Real Estate” and collectively with the 5465 Hansel Real Estate”, the “Real Estate”). In support of this Application, the Trustee states as follows:

1. On May 1, 2024, this Court authorized the Trustee to employ the Listing Realtor to assist the Trustee in selling the Real Estate. *See, Order Granting Application of Chapter 7 Trustee for Authority to Employ Christine Bowen of RE/MAX Town & Country Realty as Realtor (Doc. 141)* (Doc. 144), attached hereto as Exhibit A (the “Employment Order”).

2. On July 18, 2024, the Trustee filed his *Motion of Chapter 7 Trustee to Sell Real Estate Located at (1) 5465 Hansel Avenue, Unit H-11, of Camelot by The Lake, Orlando, Florida,*

*and (2) 5449 Hansel Avenue, Unit M-17, Camelot by The Lake, Orlando, Florida Free and Clear of any and all Claimed Liens, Interests or Encumbrances (the “Sale Motion”).*

3. The Sale Motion seeks authority sell the Real Estate as follows:
  - a. The 5465 Hansel Real Estate to Graziella Hediger and Andreas Hediger for the sum of \$129,000.00. A copy of the purchase contract to purchase the 5465 Real Estate is attached to the Sale Motion as Exhibit C.
  - b. The 5449 Hansel Real Estate to Graziella Hediger and Andreas Hediger for the sum of \$106,000.00. A copy of the purchase contract to purchase the 5449 Real Estate is attached to the Sale Motion as Exhibit D.
4. The Trustee represents that the Listing Realtor was the procuring cause in obtaining the prospective purchasers of the 5465 Hansel Real Estate and of the 5449 Hansel Real Estate and has performed those services as realtor in a competent and professional manner.
5. Pursuant to the Employment Order, the Realtor is entitled to a commission of six percent (6%) of the sale price of the 5465 Hansel Real Estate and of the sale price of the 5449 Hansel Real Estate. Pursuant to the standard custom in the real estate market, the Listing Realtor is sharing this commission with the Cooperating Realtor on an equal basis.
6. Subject to the Sale Motion being granted and the prospective sale of the 5465 Hansel Real Estate and of the 5449 Hansel Real Estate being consummated, the Listing Realtor and the Cooperating Realtor are entitled to commissions as follows:
  - a. With respect to the 5465 Hansel Real Estate a total commission of \$7,740.00 with \$3,870.00 to the Listing Realtor and \$3,870 to the Cooperating Realtor;
  - b. With respect to the 5449 Hansel Real Estate the sum of \$3,180 to the Listing Realtor and \$3,180 to the Cooperating Realtor.

Based upon the foregoing, the Trustee respectfully requests that the Court issue an order:

- a. Authorizing payment of the total six percent (6%) commission for the sale of the 5465 Hansel Real Estate in the amount of \$7,740.00, with \$3,870.00 payable to the Listing Realtor and \$3,870.00 to the Cooperating Realtor, subject to the sale of 5465 Hansel Real Estate being consummated;
- b. Authorizing payment of the total six percent (6%) commission for the sale of the 5449 Hansel Real Estate in the amount of \$6,360.00, with \$3,180.00 payable to the Listing Realtor and \$3,180.00 to the Cooperating Realtor, subject to the sale of 5465 Hansel Real Estate being consummated; and
- c. Granting such other and further relief as is appropriate.

Respectfully submitted,

/s/ Myron N. Terlecky  
Myron N. Terlecky (0018628)  
John W. Kennedy (0042672)  
Strip, Hoppers, Leithart, McGrath & Terlecky Co., LPA  
575 South Third St.  
Columbus, OH 43215  
Telephone (614) 228-6345  
Facsimile (614) 228-6369  
Email: mnt@columbuslawyer.net  
jwk@columbuslawyer.net  
Attorneys for the Chapter 7 Trustee

**NOTICE OF APPLICATION OF CHAPTER 7 TRUSTEE FOR AUTHORITY TO PAY  
REAL ESTATE COMMISSION RELATED TO THE SALE OF REAL ESTATE  
LOCATED AT 5465 HANSEL AVE, UNIT H-11, ORLANDO, FLORIDA AND  
5449 HANSEL AVENUE, UNIT M-17, ORLANDO, FLORIDA  
AND CERTIFICATE OF SERVICE**

The Chapter 7 Trustee has filed papers with the court seeking to compensate a realtor in connection with the sale of certain real estate.

**Your rights may be affected.** You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the court to grant the relief sought in the Application, **then on or before twenty-one (21) days from the date set forth in the certificate of service for the Application**, you or your attorney must file with the court a response explaining your position by mailing your response by regular U.S. Mail to Clerk, United States Bankruptcy Court, 170 North High Street, Columbus, Ohio 43215, OR your attorney must file a response using the court's ECF system.

**The Chapter 7 Trustee has filed a Motion to Reduce this 21 day period to 10 days. If the Court grants this Motion, you will receive Notice of the Date by which you need to file your response.**

The Court must **receive** your response on or before the above date.

You must also send a copy of your response either by 1) the court's ECF System, or by 2) regular U.S. Mail to:

United States Trustee  
170 North High Street, Suite 200  
Columbus, Ohio 43215

Myron N. Terlecky, Esq.  
Strip, Hoppers, Leithart, McGrath & Terlecky Co.,  
LPA  
575 South Third Street  
Columbus, Ohio 43215

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the Application and may enter an order granting that relief without further notice or hearing.

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing APPLICATION OF CHAPTER 7 TRUSTEE FOR AUTHORITY TO PAY REAL ESTATE COMMISSION RELATED TO THE SALE OF REAL ESTATE LOCATED AT 5465 HANSEL AVE, UNIT H-11, ORLANDO, FLORIDA AND 5449 HANSEL AVENUE, UNIT M-17, ORLANDO, FLORIDA was served **electronically** on the date of filing through the court's ECF system on all ECF participants registered in the case at the email addresses registered with the court, and (ii) by **first class U.S. Mail** on July 18, 2024 addressed to all creditors and parties in interest on the attached mailing matrix and listed below:

Jose Villavicencio  
669 South 22<sup>nd</sup> Street  
Columbus, OH 43205

Christine Bowen  
RE/MAX Town & Country Realty  
1315 Tuskawilla Rd., Ste. 101  
Winter Springs, FL 32708

Chris Creegan  
Creegan Property Group  
439 Lake Howell Rd.  
Maitland, FL 32751

The attached mailing matrix was provided by the Bankruptcy Court's CM/ECF Service. Service was made upon both preferred and non-preferred addresses (preferred addresses are marked with "(p)"). Service was not made upon entities with similar names at identical addresses. Though listed in the matrix, a copy of this document was not sent to the United States Bankruptcy Court, John W. Kennedy, nor Myron N. Terlecky.

/s/ Myron N. Terlecky  
Myron N. Terlecky

# EXHIBIT A

This document has been electronically entered in the records of the United States Bankruptcy Court for the Southern District of Ohio.

IT IS SO ORDERED.

Dated: April 30, 2024



John E. Hoffman, Jr.  
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

In re:	:	Case No. 19-52861
	:	
JOSE R. VILLAVICENCIO,	:	Chapter 7
	:	
	:	
Debtor.	:	Judge John E. Hoffman, Jr.

**ORDER GRANTING APPLICATION OF CHAPTER 7 TRUSTEE FOR AUTHORITY  
TO EMPLOY CHRISTINE BOWEN OF RE/MAX TOWN & COUNTRY REALTY  
AS REALTOR (DOC. 141)**

This matter came before the Court upon the *Application of Chapter 7 Trustee for Authority to Employ Christine Bowen of RE/MAX Town & Country Realty as Realtor (Doc. 141)*, filed on March 22, 2024 (the “Application”) (Doc. 141). The Trustee served the Application on the Debtor, counsel for the Debtor, the U.S. Trustee, the proposed Realtor, and those parties requesting notice in this case. The period for filing an objection to the Application has lapsed and no objection to the Application was filed.

Based upon the matters contained in the Application and the Affidavit in Support thereof, proper service of the Application having been completed, and no objection to the Application having been filed, the Court finds the Application to be well-taken and it is approved. The Court finds that it would be in the best interests of the bankruptcy estate and its creditors that the Trustee be authorized to employ Christine Bowen of RE/MAX Town & Country Realty as a Realtor, as detailed in the Application, for the purposes and on the terms and conditions set forth in the Application, with compensation and reimbursement of expenses to be paid as an expense of administration herein for services rendered, on the terms and conditions described in the Application, subject to the provisions of 11 U.S.C. §330.

It is therefore ORDERED and DECREED that the Trustee be, and he hereby is, authorized to employ Christine Bowen of RE/MAX Town & Country Realty as Realtor.

IT IS SO ORDERED.

SUBMITTED BY:

/s/ Myron N. Terlecky  
Myron N. Terlecky (0018628)  
Strip, Hoppers, Leithart, McGrath & Terlecky Co., LPA  
575 South Third St.  
Columbus, OH 43215  
Telephone: (614) 228-6345  
Facsimile: (614) 228-6369  
mnt@columbuslawyer.net  
Attorneys for Chapter 7 Trustee

Default List and Additional Parties Listed:

Christine Bowen  
RE/MAX Town & Country  
1315 Tuskawilla Rd., Suite 101  
Winter Springs, FL 32708



Label Matrix for local noticing

0648-2

Case 2:19-bk-52861

Southern District of Ohio

Columbus

Tue Jul 16 14:10:31 EDT 2024

(p)AMERICAN ELECTRIC POWER

ATTN JASON E REID

1 RIVERSIDE PLAZA 13TH FLOOR

COLUMBUS OH 43215-2373

(p)BANK OF AMERICA

PO BOX 982238

EL PASO TX 79998-2238

(p)COLUMBIA GAS

290 W NATIONWIDE BLVD 5TH FL

BANKRUPTCY DEPARTMENT

COLUMBUS OH 43215-4157

Graf & McGovern LPA

604 E. Rich St.

Columbus, OH 43215-5341

Mishkind Kulwicki Law Co

23240 Chagrin Blvd.

Ste 101 Commerce Park IV

Beachwood, OH 44122-5482

Shapero & Green LLC

25101 Chagrin Blvd. #220

Beachwood, OH 44122-5656

Tax Ease Ohio, LLC

14800 Landmark Blvd., Suite 400

Dallas, TX 75254-7598

US District Attorney

303 Marconi Blvd

Columbus, OH 43215-2839

Verna Coward

Verna & Craig Coward, Admins

Estate of Frederick Coward

25101 Chagrin Blvd. #220

Beachwood, OH 44122-5656

Rent Due LLC

c/o Maria Mariano Guthrie

Kegler, Brown, Hill & Ritter

65 E. State Street, Ste. 1800

Columbus, OH 43215-4294

Asst US Trustee (Col)

Office of the US Trustee

170 North High Street

Suite 200

Columbus, OH 43215-2417

Bank of America, N.A.

P O Box 982284

El Paso, TX 79998-2284

Enhanced Recovery Corp

8014 Bayberry Rd

Jacksonville, FL 32256-7412

Internal Revenue Service

PO Box 7346

Philadelphia, PA 19101-7346

(p)NATIONSTAR MORTGAGE LLC

PO BOX 619096

DALLAS TX 75261-9096

TLOA Acquisitions, LLC - Series 2

11 Talcott Notch Road

Farmington, CT 06032-1817

US Attorney General

Main Justice Bldg, Room 5111

10th & Constitutional Avenue NW

Washington, DC 20530-0001

Verna Coward

16250 Flint Ridge Rd. South

Newark, OH 43056-9457

Verna R. Coward

Adm Est.Frederick Coward, Jr.

25101 Chagrin Blvd #220

Beachwood, Oh 44122-5656

AFFILIATED TAX CO LLC -17

US Bank/Affiliated Tax Co LLC

PO Box 645040

Cincinnati OH 45264-0303

(p)OHIO ATTORNEY GENERAL

COLLECTIONS ENFORCEMENT ATTN BANKRUPTCY MANAG

30 E BROAD ST

14TH FLOOR

COLUMBUS OH 43215-3414

City of Columbus Attorney

90 W. Broad St. Room 200

Columbus, OH 43215-9013

Franklin County Treasurer

373 S. High St. 17th Floor

Columbus, OH 43215-4591

Law Office of Manbir Sandhu

1213 Prospect Ave. #300

Cleveland, OH 44115-1260

Ohio Department of Taxation

Bankruptcy Division

P.O. Box 530

Columbus, OH 43216-0530

TLOA Servicing LLC

11 Talcott Notch Rd.

Farmington, CT 06032-1817

US Bank as Customer

c/o Liege Tax Liens LLC 18

P.O. Box 645040

Cincinnati, OH 45264-0303

Verna Coward

Verna & Craig Coward, Admin.

25101 Chagrin Blvd. #220

Beachwood, Oh 44122-5656

Weltman Weinberg & Reis

3705 Marlane Dr.

Grove City, OH 43123-8895

Westgate Blue Tree Owners Association,  
C/O Greenspoon Marder LLP  
201 E. Pine Street, Suite 500  
Orlando Florida 32801-2718

Christina Bowen  
RE/MAX Town & Country  
1315 Tuskawilla Rd., Suite 101  
Winter Springs, FL 32708-5059

Jose R. Villavicencio  
PO Box 32185  
Columbus, OH 43232-0185

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Mark Jay Bamberger  
The Mark Bamberger Co., LLC  
PO Box 189  
Spring Valley, OH 45370-0189

Myron N Terlecky  
575 S Third Street  
Columbus, OH 43215-5755

Verna Coward  
c/o Brian Green  
25101 Chagrin Blvd. #220  
Beachwood, OH 44122-5656

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified  
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

American Electric Power  
Attn Bankruptcy  
1 AEP Way  
Hurricane, WV 25526-1231

Attorney General - Rev Rec  
ATTN: Bankruptcy Staff  
150 E. Gay Street, 21st Floor  
Columbus, OH 43215

Bank of America  
Billing Inquiries  
PO Box 982236  
El Paso, TX 79998-2236

Columbia Gas  
290 W. Nationwide Blvd. 5th Flr  
Bankruptcy Department  
Columbus, OH 43215-4157

Nationstar Mortgage LLC  
Attn Bankruptcy Department  
PO Box 619096  
Dallas, TX 75261-9741

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)TLOA Acquisitions, LLC

(u)Tax Ease Ohio, LLC

End of Label Matrix	
Mailable recipients	35
Bypassed recipients	2
Total	37